

UNITED STATES DISTRICT COURT

Western District of North Carolina

UNITED STATES OF AMERICA

V.

EUGENE MCGILVERY III

) **JUDGMENT IN A CRIMINAL CASE**) (For **Revocation** of Probation or Supervised Release)

) (For Offenses Committed On or After November 1, 1987)

)

) Case Number: DNCW121CR000002-001

) USM Number: 29653-058

)

) Emily M. Jones

) Defendant's Attorney

THE DEFENDANT:

- ☒ Admitted guilty to violations 1, 2 of the Petition and violation 10 of the Addendum to the Petition.
- ☐ Was found guilty of violation(s) of the Petition after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violation(s):


Violation Number	Nature of Violation	Date Violation Concluded
1	DRUG/ALCOHOL USE	10/18/2022
2	FAILURE TO COMPLY WITH DRUG TESTING/TREATMENT REQUIREMENTS	10/14/2022
10	NEW LAW VIOLATION - Possession with Intent to Distribute Methamphetamine (1:23-cr-16)	10/22/2022

The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☐ Defendant found not guilty as to violation(s) of the Petition and is discharged as to such violation(s).
- ☒ Violation 3 of the Petition and violations 4-9 of the Addendum to the Petition are dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 1/25/2024



Martin Reidinger
Chief United States District Judge



Date: January 26, 2024

Defendant: Eugene McGilvery III
Case Number: DNCW121CR000002-001

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TWENTY-FOUR (24) MONTHS. The term of imprisonment imposed by this judgment shall run consecutively to any term of imprisonment imposed in Docket No. 1:23-CR-16.**

- The Court makes the following recommendations to the Bureau of Prisons:
1. Placed in a facility as close to Clayton, Georgia, as possible, considering defendant's security classification.
 2. Participation in any available educational and vocational opportunities.
 3. Participation in the Federal Inmate Financial Responsibility Program.
 4. Participation in any available mental health treatment programs.
 5. Participation in any available substance abuse treatment program and, if eligible, receive benefits of 18:3621(e)(2).

- The Defendant is remanded to the custody of the United States Marshal.

- ☐ The Defendant shall surrender to the United States Marshal for this District:

- ☐ As notified by the United States Marshal.
☐ At _ on _.

- ☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ As notified by the United States Marshal.
☐ Before 2 p.m. on _.
☐ As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____,
_____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal

Defendant: Eugene McGilvery III
Case Number: DNCW121CR000002-001

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SUPERVISED RELEASE

Upon release from imprisonment the Court Orders that **NO FURTHER TERM OF SUPERVISED RELEASE IS IMPOSED.**

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